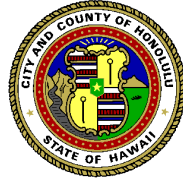


ETHICS COMMISSION
CITY AND COUNTY OF HONOLULU

715 SOUTH KING STREET, SUITE 211 • HONOLULU, HAWAII 96813-3091
PHONE: (808) 768-7787 • FAX: (808) 768-7768 • EMAIL: ethics@honolulu.gov • INTERNET: www.honolulu.gov/ethics



KIRK CALDWELL
MAYOR

JAN K. YAMANE
EXECUTIVE DIRECTOR
AND LEGAL COUNSEL

August 25, 2016

TO: CHAIR VICTORIA MARKS, VICE CHAIR MICHAEL LILLY AND
MEMBERS OF THE ETHICS COMMISSION

FROM: JAN K. YAMANE, EXECUTIVE DIRECTOR AND LEGAL COUNSEL

SUBJECT: AGENDA ITEMS FOR THE AUGUST 31, 2016 MEETING, **OPEN SESSION**

I. CALL TO ORDER

Chair Marks and Vice Chair Lilly will not be in attendance for this meeting. I understand that Commissioner Amano has graciously accepted to assist in their absence. Unless I hear otherwise, Commissioner Amano will be running the meeting.

II. NEW BUSINESS

- A. For Action: Motion to Approve the Open Session Minutes of the July 20 and August 9, 2016 Meetings.

Please review the draft meeting minutes which have been made available to you in Dropbox. Please let me know if you have any revisions or edits to the minutes.

- B. Executive Director and Legal Counsel's Administrative Report. (Written)

1. Work Reports from Staff Members.

Please let us know if you would like us to continue to attach our staff reports to this memo, or, in the alternative, you would like a summary of the work performed.

- a. Legal Clerk I Krissy Bigornia. Please see attachment **8-31-16 Agenda Item II.B.1.a., OPEN-1 [Bigornia's Work Report]**.

- b. Legal Clerk III Lisa Parker. Please see attachment **8-31-16 Agenda Item II.B.1.b., OPEN-2 [Parker's Work Report]**.

c. Associate Legal Counsel, Laurie A. Wong-Nowinski. Please see attachment **8-31-16 Agenda Item II.B.1.c., OPEN-3 (CONFIDENTIAL)** [**Wong-Nowinski's Work Report**].

d. Executive Director and Legal Counsel, Jan K. Yamane. Please see attachment **8-31-16 Agenda Item II.B.1.d., OPEN-4 (CONFIDENTIAL)** [**Yamane's Work Report**].

2. General Statistics: Pending Complaints Requiring Investigation and Requests for Advice.

Please see attachment **8-31-16 Agenda Item II.B.2., OPEN-5** [**Statistics**].

FY17 website hits through 8/25/16: 3,291

FY17 New Employee Ethics Training through 8/25/16: 87

3. FY 2018 Budget Status.

I will provide you with an oral report at the meeting.

4. Ethics Training Program Status.

I will provide you with an oral report at the meeting.

5. Status of Charter Amendments.

The Charter Commission Permitted Interaction Group will provide any updates at the meeting.

C. For Discussion and Action: Expectations for the Executive Director and Legal Counsel.

I look forward to hearing from the Commission in regard to this agenda item.

D. For Discussion and Action: Modification of Personnel Evaluation Form for the Executive Director and Legal Counsel.

Pursuant to the most recent discussion of the EDLC Evaluation form that occurred at the July 20, 2016 meeting, Ms. Bigornia, Legal Clerk has made changes to the draft form based on comments from Commissioner Suemori. We welcome additional discussion and revisions as needed. Please see attachment **8-31-16 Agenda Item II.D., OPEN-6** [**Final Draft Evaluation Form from the July 20, 2016 Meeting**]

Should you have any questions on these matters, please contact me.

8-31-16

OPEN – 1

Agenda Item II.B.1.a., Pg. 1
[Bigornia's Work Report]

To: Ethics Commission
From: Kristine Bigornia, Legal Clerk I
Date: August 24, 2016
Subject: Report from July - August 2016

I. MEETING MATERIALS

- A. Uploaded the filed agenda on the website
- B. Gathered the meeting materials

II. PREPARING FOR THE MOVE TO KAPALAMA HALE

- A. There are nine (9) boxes in the office that needs to be prepped for Department of Information Technology (DIT) to scan, and then archive.
 - 1. COMPLETED: Instead of nine boxes, eight (8) boxes were sent to DIT for scanning and archiving.
 - 2. CONTINUATION: On August 24, I shredded four out of the eight boxes at DIT. After the EC meeting, I will be scheduling another day with DIT to shred the rest of the boxes.
- B. CONTINUATION: Scanning and shredding documents

III. OTHER ADMINISTRATION DUTIES

- A. Answering phone calls from both members of the public and city employees regarding various matters.
- B. Updating the EC website, including an updated Registered Lobbyist list, Commission and staff biographies, posting future EC meeting dates, etc.
- C. Updating the EC Resource Binder
- D. Assisting in completing UIPA requests

8-31-16

OPEN – 2

Agenda Item II.B.1.b., Pg. 1
[Parker's Work Report]

LISA PARKER'S WORKLOAD REPORT – JULY-AUGUST 2016

- I continued my duties in keeping the office running by performing my usual administrative P-Card duties, as well as my normal duties of sorting and filing incoming pleadings and mail, finalizing letters and other documents from this office, as well as worked with COR's administrative services officer and administrative support agencies on other fiscal and personnel matters.
- Provided administrative assistance to our new EDLC, as well as set-up "courtesy meetings" with Councilmembers. I continued with the intake and the logging-in of new complaints.
- I assisted Legal Clerk Bigornia with the process and made arrangements for the scanning of eight (8) boxes of "pau" files, as well as transported them to the Department of Information Technology (DIT). I also arranged for the return of six (6) boxes of files to COR, after a year of investigation by our office.
- I attended two (2) meetings at the MD's office for the Administration's weekly updates for the move to Kapalama Hale.
- Drafted and finalized all the EC meeting materials, as well as the Minutes of the July 20 EC meeting.

8-31-16

OPEN – 5

Agenda Item II.B.2., Pg. 2
[Statistics]

Quarterly Statistics for FY 2012; 2013; 2014; 2015

COMPLAINTS	FY 2012 Complaints (7/1/11-6/30/12)				FY 2013 Complaints (7/1/12-6/30/13)				FY 2014 Complaints (7/1/13-6/30/14)				FY 2015 Complaints (7/1/14-6/30/15)			
	Received	Investigated	Still open		Received	Investigated	Still Open		Received	Investigated	Still Open		Received	Investigated	Still Open	
Quarter 1 (Jul. 1-Sep. 30)	27	19	0		45	31	1		28	22	0		37	23	9	
Quarter 2 (Oct. 1-Dec. 31)	13	11	0		36	25	0		43	31	6		31	23	8	
Quarter 3 (Jan. 1-Mar. 31)	32	24	0		27	20	0		31	21	2		23	18	13	
Quarter 4 (Apr. 1-Jun. 30)	33	25	0		21	12	1		50	35	7		51	29	27	
TOTAL	105	79	0		129	88	2		152	109	15		142	93	57	
TOTAL cases where violations found		12				15				15						
TOTAL cases where corrective action taken		24				35				30						
Total cases where disciplinary action was taken		4				3				3						

REQUESTS FOR ADVICE	FY 2012 RFA (7/1/11-6/30/12)				FY 2013 RFA (7/1/12-6/30/13)				FY 2014 RFA (7/1/13-6/30/14)				FY 2015 RFA (7/1/14-6/30/15)			
	Received	Still Open			Received	Still Open			Received	Still Open			Received	Still Open		
Quarter 1 (Jul. 1-Sep. 30)	97				75				114				48	0		
Quarter 2 (Oct. 1-Dec. 31)	86				64				79				75	1		
Quarter 3 (Jan. 1-Mar. 31)	95				114				77				69	1		
Quarter 4 (Apr. 1-Jun. 30)	67				117				67				63	5		
TOTAL	345	0			370	0			337	0			255	7		

COMPLAINTS	FY 2016 Complaints (7/1/15-6/30/16)				FY 2017 Complaints (7/1/16-6/30/17)				FY 2018 Complaints (7/1/17-6/30/18)				FY 2019 Complaints (7/1/18-6/30/19)			
	Received	Investigated	Still open		Received	Investigated	Still Open		Received	Investigated	Still Open		Received	Investigated	Still Open	
Quarter 1 (Jul. 1-Sep. 30)	25	9	16													
Quarter 2 (Oct. 1-Dec. 31)	31	13	13													
Quarter 3 (Jan. 1-Mar. 31)	32	15	9													
Quarter 4 (Apr. 1-Jun. 30)	23	1	12													
TOTAL	111	38	50													
TOTAL cases where violations found																
TOTAL cases where corrective action taken																
Total cases where disciplinary action was taken																

REQUESTS FOR ADVICE	FY 2016 RFA (7/1/15-6/30/16)				FY 2017 RFA (7/1/16-6/30/17)				FY 2018 RFA (7/1/17-6/30/18)				FY 2019 RFA (7/1/18-6/30/19)			
	Received	Still Open			Received	Still Open			Received	Still Open			Received	Still Open		
Quarter 1 (Jul. 1-Sep. 30)	75	0														
Quarter 2 (Oct. 1-Dec. 31)	45	0														
Quarter 3 (Jan. 1-Mar. 31)	69	1														
Quarter 4 (Apr. 1-Jun. 30)	45	14														
TOTAL	234	15														

8-31-16

OPEN – 6

Agenda Item II.D., Pg. 3
[Final Draft Evaluation Form
from the 07-20-16 Meeting]

EC EDLC 2016 Performance - Commission Member Input

<i>(Numerical Input)</i>	Excellent	4																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																										
--------------------------	-----------	---	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Comments (Please Input Comments)

Provide Vision & Leadership - Develop effective strategic plans, programs and policies to support EC's mission and objectives : A) Charter Commission responsibilities and oversight, B) Training of City and County employees, and C) Organization of complaints and office responsibilities and workflow ; Motivate and inspire staff to maximize their own development potential and mission support; Deliver strong operating and staff performance. Innovative and creative, gains trust and confidence of those he interacts with. Maintains a high level of personal and professional integrity. Role model for city employees.

Work with Commission Members - Advising and assisting EC members; Clarity and timeliness of memos, reports and minutes provided to EC; Records and reference materials provided regarding complaints, and status of work and workflow ; Resolutions and alternatives provided to EC. Shows willingness to improve job knowledge. Accepts feedback in a cooperative and honest fashion. Gains trust and confidence. Responds promptly to requests for information.

EC EDLC 2016 Performance - Commission Member Input

Work Quality and Quantity in Major Duties: Knowledge of ethics laws and administrative and legislative processes; Respond to request for ethics advice; Conducting investigations of alleged misconduct, probable cause and contested hearings; Presentations at *training* meetings; *Manages* legal research; Negotiations and settlements; Developing legislation, rules and guidelines; Provide education and training; Displays positive attitude. Shows good work habits. Willing to improve job knowledge.

Trusted Face/Voice of EC - Build strong relationships with the Council, Administration, City agencies, community and City employees and officers through: Education programs; News media interaction; Public access to public reports and filings by officials, candidates, lobbyists; Working with other Federal, State and City agencies, including law enforcement; Gains trust and confidence of others. Promotes positive relationship with the public.

Supervising Subordinates: Create team-based, cooperative work environment that allows for professional growth and advancement; Clearly communicate plans, policy, initiatives and directives to staff; Conduct timely staff appraisals. Effective delegation of *written staff* responsibilities *and evaluation*. Promotes high degree of morale. Leads staff to excellence. *Provides organization chart of workload flow and caseflow. Provides formal functionality and responsibility within budget interests. Provides employees responsibilities & evaluations - hiring and firing; oversight of workload flow and case flow.*

EC EDLC 2016 Performance - Commission Member Input

Effective Planning, Procedures and Priorities - Develop and maintain an effective organization supported by ~~sound~~ policies and procedures *protected by law*, sufficient resources and funding, a strong team and case and project priorities. Demonstrate ~~good~~ managerial skills, goals, and objectives, and training and development, *which assume timely caseflow and resolution*. Effective in ~~carrying-out~~ review of and oversight of financial and budgeting responsibilities.

General - Overall Performance & Improvement Areas